



BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

MAY 13 1999

JIM IRVIN  
COMMISSIONER-CHAIRMAN  
TONY WEST  
COMMISSIONER  
CARL J. KUNASEK  
COMMISSIONER

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF  
CITIZEN AUTO STAGE COMPANY FOR THE  
CANCELLATION OF THE CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
CUSTOMER-OWNED PAY TELEPHONE  
SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-02875A-99-0076

DECISION NO. 61693

ORDER

Open Meeting  
May 11 and 12, 1999  
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. Citizen Auto Stage Company ("Applicant") is an Arizona corporation that has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 59143 (June 27, 1995).

2. On January 29, 1999, Applicant filed an application for approval of the cancellation of the Certificate.

3. In Decision No. 55817 (December 10, 1987), the Commission found that COPT providers were public service corporations subject to the jurisdiction of the Commission.

4. Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to regulate COPT providers.

5. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes rates and minimum service standards applicable to COPT service.

6. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT Certificates without a hearing.

7. On March 23, 1999, the Commission's Utilities Division Staff ("Staff") filed a Staff

1 Report, recommending approval of the application to cancel Applicant's Certificate without  
2 hearing.

3 8. Staff stated that Applicant indicated that its assets were sold to the Los RapiDOS Bus  
4 Company ("Los RapiDOS"), where the equipment is located. Staff indicated that Los RapiDOS does  
5 not have a COPT Certificate, but has been contacted and a Certificate application has been sent to the  
6 company.

7 9. Applicant's Certificate cancellation should be effective when Los RapiDOS has  
8 received a Certificate.

9 **CONCLUSIONS OF LAW**

10 1. Applicant is a public service corporation within the meaning of Article XV of the  
11 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

12 2. The Commission has jurisdiction over Applicant and the subject matter of the  
13 application.

14 3. With the condition stated below, the cancellation of Applicant's Certificate is in  
15 public interest.

16 4. Staff's recommendation in Findings of Fact No. 7 should be adopted as modified  
17 below.

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ORDER

IT IS THEREFORE ORDERED that the application of Citizen Auto Stage Company for the cancellation of its Certificate to provide customer-owned pay telephone service shall be approved upon notification in this docket that Los Rapidos Bus Company has received a Certificate to provide customer-owned pay telephone service in the State of Arizona.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

COMMISSIONER-CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 13<sup>th</sup> day of May, 1999.

BRIAN C. McNEIL  
EXECUTIVE SECRETARY

DISSENT  
BMB:bbs

1 SERVICE LIST FOR: CITIZENS AUTO STAGE COMPANY  
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